

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

WANDA HARRIS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:05CV27-LG-RHW

ALLSTATE INSURANCE COMPANY, et al

DEFENDANTS

**ORDER DENYING MOTION TO STRIKE**

Before the Court is Defendants' [24] Motion to Strike Designation of Experts. In response, Plaintiff has withdrawn all expert designations except for that of Jeff Bennett. The Court has reviewed the Motion, briefs, exhibits on record, and arguments of the parties. The Court finds that the Motion to Strike should be denied, however, with some limitations. Specifically, the Court concludes that Bennett's testimony at trial in his capacity as an expert witness should be limited to the information contained in the expert designation and Bennett's deposition. The Court further concludes that Bennett's opinions that address mere "possibilities" rather than "probabilities" should be excluded from testimony. This Order does not limit in any manner Bennett's ability to testify as a fact witness.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendants' [24] Motion to Strike is DENIED, subject to the limitations outlined in this Order.

SO ORDERED, this the 20th day of July, 2006.

*s/ Robert H. Walker*  
UNITED STATES MAGISTRATE JUDGE